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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
MICHAEL ANTHONY NELSON,)
)
Defendant.)

No. CR 10-00244 MHP

STIPULATION AND ~~[PROPOSED]~~
ORDER EXCLUDING TIME FROM
JANUARY 24, 2011, TO MARCH 7, 2011.

With the agreement of the parties in open court on January 24, 2011, and with the consent of the defendant Michael Anthony Nelson, the Court enters this order (1) setting a status conference in District Court on March 7, 2011, at 10:00 a.m., and (2) documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from January 24, 2011, to March 7, 2011. The Court finds and holds, as follows:

1. The defendant appeared in custody before this Court on January 24, 2011, for a status hearing. Counsel for the defendant represented that he had obtained discovery, that some of the discovery overlapped with a federal prosecution in the Northern District of Illinois for which the

[PROPOSED] ORDER EXCLUDING TIME
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1 defendant is now serving a sentence, that the present investigation involves a business entity for
2 which there exists a volume of documents that require review, that the defendant intends to
3 conduct his own investigation, and that the defendant intends to request additional discovery
4 from the government. The defendant requested that time be excluded from the Speedy Trial Act
5 from January 24, 2011, to March 7, 2011. The government agreed to the proposed exclusion of
6 time.

7 2. The Court finds that, taking into account the public interest in the prompt disposition of
8 criminal cases, granting the continuance to March 7, 2011, is necessary for effective preparation
9 of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds
10 that the ends of justice served by excluding the period from January 24, 2011, to March 7, 2011
11 outweighs the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §
12 3161(h)(7)(A).

13 3. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on
14 March 7, 2011 at 10:00 a.m., and (2) orders that the period from January 24, 2011, to March 7,

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2011 is excluded from Speedy Trial Act computation under 18 U.S.C. §§ 3161(h)(1)(D) and 3161(h)(7)(A) and (B)(iv).

IT IS SO STIPULATED.

Dated: January 25, 2011

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/
MICHELLE J. KANE
Assistant United States Attorney

Dated: January 25, 2011

BARRY PORTMAN
Federal Public Defender

/s/
RONALD TYLER
Assistant Federal Public Defender
Counsel for Michael Anthony Nelson

IT IS SO ORDERED.

DATED: January 26, 2011

